

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

In re:

ROBERT ROZMARIN
TATIANA ROZMARIN,
Debtors

Chapter 13
Case #: 09-44809

OPPOSITION TO CHAPTER 13 TRUSTEE'S MOTION
FOR ORDER DISMISSING CASE

NOW COME the Debtors in the above captioned matter, through their counsel, and hereby respectfully state in opposition to the Chapter 13 Trustee's Motion for Order Dismissing Case (hereinafter "Motion to Dismiss") as follows:

1. The Debtor operates, as a solo proprietor, a retail store which sells non-toxic paint, flooring and other interior construction materials.
2. During the years of real estate downturn, the Debtor's business experienced severe cash flow shortage due to decreasing demand for the high end construction materials.
3. Currently, the Debtor reports the signs of improving sales, including several large construction contracts, which the Debtor expects to result in the substantial orders once the projects move into the final phase.
4. The Debtors, therefore, expect that in the next 60 to 90 days they will be able to return to profitability and both fund the plan and meet their basic personal and business expenses.

WHEREFORE, the Debtors respectfully request this Court to deny the Chapter 13 Trustee's Motion to Dismiss and to grant such other and further relief as is just and proper.

[Signature lines appear on the next page]

ROBERT ROZMARIN and
TATIANA ROZMARIN,
By their counsel:

/s/ Vladimir von Timroth

Vladimir von Timroth, Esq., BBO #643553
LAW OFFICE OF VLADIMIR VON TIMROTH
679 Pleasant Street
Paxton, MA 01612
(508) 753-2006
(508) 753-2002 Fax
vontimroth@gmail.com

Dated: March 26, 2010

CERTIFICATE OF SERVICE

I, Vladimir von Timroth, do hereby certify that I will, immediately upon receipt of the notice of electronic service, serve a copy of the within documents by mailing the same to any of the parties below and on the attached list who are not deemed to have consented to electronic notice or service under EFR 9.

/s/ Vladimir von Timroth

Vladimir von Timroth, Esq., BBO #643553
vontimroth@gmail.com

Dated: March 26, 2010

Denise M. Pappalardo
P. O. Box 16607
Worcester, MA 01601
Chapter 13 Trustee

Richard King
Office of US. Trustee
446 Main Street
14th Floor
Worcester, MA 01608

Robert Rozmarin
Tatiana Rozmarin
40 Laurelwood Drive, Unit A40
Hopedale, MA 01747